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| EXAMINER |
|---|
| BARQADLE, YASIN M |

| ART UNIT | PAPER NUMBER |
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| 2153 | |

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on _14 October 2003_.

2a)☒ This action is **FINAL**.     2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) _1-17_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-17_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

## *Response to Arguments*

1.    The Response filed 10/14/03 has been entered and made of record.

2.    Applicant's arguments filed 10/214/03 have been fully considered but are moot in view of the new ground(s) of rejection using same reference.

In response to applicant's arguments on pages 6-8, where the applicant argues that the user profile database is associated with a mobile cache that is separate from the wireless device as the amended claims indicate, in contrast to the presence of a user profile as part of the wireless device in Flom (page 6, last paragraph). Examiner, would like to point out the Flom teaches an intelligent cache (fig. 9, 92A) with similar functionality as the cache on device 94 that is separate from the wireless device. Portable device 92 also contains an application services 92 that automatically notifies users of a new or newly reviewed restaurant in their geographic area matching criteria previously input by the user or criteria determined by applications 92B running on server 92 based on previous search requests (profile) made by that user (page 1, paragraphs 006-0009; page 5, paragraphs 0048-0053 and page 6, 0057-0062).

In response to applicant's argument on page 8 that ``there is no

disclosure of profile generator'', Examiner disagrees,

Flom teaches a method for generating content packages including

customized computer applications and data that integrate

personal information, data, and application objects and

delivering the generated content packages to the portable

electronic devices (page 2, paragraph 0012-0013) and

particularly, when user requests relevant content packages that

are not present on server 92, server 92 can request content

manufacturing system 90 to prepare relevant content packages.

In response, content manufacturing system 90 will prepare the

requested content packages and forward them to server 92 where

they can be streamed down to portable device 94 (page 2,

paragraph 0012-0013 and page 6, paragraphs 0058-0059)

In response to applicant's argument on page 8, paragraph 1 that

Flom ``does not teach the dynamic nature of the invention''.

Examiner disagrees as pointed out in the previous section Flom

teaches preparing relevant content packages for users when

requested relevant content packages are not present on server 92

(cache 92A), and forwarding them automatically to requesting user

(page 2, paragraph 0012-0013 and page 6, paragraphs 0058-0059).

In response to applicant's arguments on page 9, ``no where in

either reference is there the teaching of using output preference

data to extract data segments from the selected data, and

reducing network traffic'' Examiner disagrees and would like to
point out that claim 9 rejection is based on combinations of
references. [See Flom paragraphs 0006-0010 and 0034 and Mahanti
page 3, paragraphs 0041-0043]. As for reducing network traffic,
it is the purpose of caching entities such as the cache 92A on
portable server 92 to cache contents from manufacturing entities
(origin servers) in order to reduce network traffic so that
subsequent user requests have access to the updated cache without
needing to fetch data from origin server (see Flom page 1,
paragraphs 0006-0009, page 4, paragraphs 0035-0038).

3.    Claims 1-17 are presented for examination.

4.    Claims 1,5 and 11 have been amended.

### Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs
of 35 U.S.C. 102 that form the basis for the rejections under
this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published
under section 122(b), by another filed in the United States before the
invention by the applicant for patent or (2) a patent granted on an
application for patent by another filed in the United States before the
invention by the applicant for patent, except that an international
application filed under the treaty defined in section 351(a) shall have the
effects for purposes of this subsection of an application filed in the
United States only if the international application designated the United
States and was published under Article 21(2) of such treaty in the English
language.

5.    Claims 1-5 and 11-13 are rejected under 35 U.S.C. 102(e) as

being anticipated by Flom et al US. Pub. (20010054087).


As per claim 1, Flom et al teach a system for caching data from

an origin server (content manufacturing system 90, Fig. 9),

comprising [abstract]:

Wireless device [fig. 9, 94];

a wireless network [page 3, paragraphs 0033];

a mobile cache [fig. 9, 92A] that is separated from the

wireless device by means of the wireless network (fig. 9, page 3,

paragraphs 0031-0033), the mobile cache including

a user profile database (Fig. 1, source object 10 includes

profile data) that stores at least one user profile containing

output preference data with respect to at least one of output

content and output layout [page 1, paragraphs 006-0009; page 5,

paragraphs 0048-0053 and page 6, 0057-0062],

an object database for storing selected data from the origin

server [page 2, paragraphs 0010 and page 3, paragraphs 0031-

0032], and

a  dynamic  information  composer  coupled  to  the  object

database and the user profile database [page 2,paragraphs 009-

0013 and page 6, paragraphs 0058-0064]; and

wherein  the  dynamic  information  composer  dynamically

composes  user-specific  information  as  personalized,  user-

specific  output  based  on  data  in  the  object  database  and  the

user profile [page 1, paragraphs 0007-0009 and paragraphs 00067]

while simultaneously reducing network traffic [manufacturing contents are route via portable internet server 92 which contains intelligent cache 92A, so that subsequent user requests have access to the updated cache without needing to fetch data from origin server, therefore reducing network traffic page 1, paragraphs 0006-0009, page 4, paragraphs 0035-0038].

As per claim 2, Flom et al teach system of claim 1, further comprising a user profile generator coupled with the user profile database to generate a new user profile [If the user requests require content not available in the portable device cache or on the at least one Internet server, relevant content package is created page 2, paragraphs 0009-0013 and page 6, paragraphs 0058-0064].

As per claim 3, Flom et al teach system of claim 1, wherein the dynamic information composer composes the user-specific information in WML [page 2, paragraphs 0009-0013 and page 6, paragraphs 0058-0064].

As per claim 4, Flom et al teach system of claim 3, wherein the dynamic information composer composes the user-specific information in real time [page 3, paragraphs 0031 and page 6, paragraphs 0058-0064].

As per claim 5, Flom et al teach system of claim 1, further

comprising a change trigger coupled to the user profile database

and included as part of mobile cache, the object database, and

the dynamic information composer, wherein the change trigger

monitors changes in the object database and triggers output

delivery when a number of information changes in the object

database reaches a predetermined threshold [page 3, paragraph

0031; pages 4 & 5, paragraphs 0043-0044 and 0053-0059].


As per claim 11, Flom et al teach a method for caching data from

an origin server (system 90, fig 9) for delivery to a wireless

device (fig. 9, 94) by way of a wireless network (page 3,

paragraphs 0031-0033), comprising the steps of:

establishing a user profile (page 5, paragraphs 0048-0053)

separate from the wireless device by way of the wireless network

(fig. 9), wherein the user profile contains output preference

data with respect to at least of output content and output layout

(pages 1-2, paragraphs 0006-0010 and paragraph 0013 and page3,

paragraph 0034);

obtaining an information request[page 1, paragraphs 008-009

and page 3, paragraphs 0032-0034];;

storing selected data from the origin server in an object

database [page 1, paragraphs 008-010 and page 3, paragraphs 0032-

0034];

fetching requested information from the object database if
the object database contains the requested information [page 1,
paragraphs 008-0013 and pages 3-4, paragraphs 0032-0038];

fetching and caching information from the origin server into
the object database as the selected data if the object database
does not contain the requested information [page 1, paragraphs
008-0011 and pages 3-4, paragraphs 0032-0038]; and

dynamically composing user-specific information and output
based on the requested information (page 1, paragraphs 007-013)
from the fetching steps and input from the user profile for
transmission to the wireless device [pages 3-4, paragraphs 0031-
0038 and page 6, paragraphs 0058-0059]

As per claim 12, Flom et al teach method of claim 11, further
comprising the step of delivering the user-specific information
to a wireless device after the composing step [page 1, paragraphs
008-0013 and page 6, paragraphs 0058-0059].

As per claim 13, Flom et al teach method of claim 12, further
comprising the steps of:

monitoring a number of information changes in the object
database [pages 4 & 5, paragraphs 0043-0044 and 0053-0059]; and

triggering the delivery step once the number of information
changes in the object database reach a predetermined threshold
[pages 4 & 5, paragraphs 0043-0044 and 0053-0059].

## Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms
the basis for all obviousness rejections set forth in this Office
action:

(a) A patent may not be obtained though the invention is not identically

disclosed or described as set forth in s ection 102 of this title, if the

differences between the subject matter sought to be patented and the prior

art are such that the subject matter as a whole would have been obvious at

the time the invention was made to a person having ordinary skill in the

art to which said subject matter pertains. Patentability shall not be

negatived by the manner in which the invention was made.

6.     Claims 6-10 and 14-17 are rejected under 35 U.S.C. 103(a) as
being unpatentable over Flom et al US. Pub. (20010054087) in view
of Mahanti et al US. Pub. (20020052824).

As per claims 6 and 14, although Flom et al shows substantial
features of the claimed invention as explained in claims 1 and 11
above, he does not explicitly show converting an image format of
the selected data from the origin server, wherein the object
database caches the selected data in the object database after
image format conversion.

Nonetheless, this feature is well known in the art and would
have been an obvious modification of the system disclosed by Flom
et al, as evidenced by Mahanti et al US. Pub. (20020052824).

In analogous art, Mahanti et al whose invention is about a
system for performing automated negotiation processing in
electronic trading system for users in terms of their different
profile information, disclose a system that converts
(translates) an image format (HTML) of selected data from web
server and stores a copy in a data cache server [page 3,
paragraphs 0043].

Giving the teaching of Mahanti et al, a person of ordinary
skill in the art would have readily recognized the desirability
and the advantage of modifying Flom et al by employing the
system of Mahanti et al in order to accommodate a wide variety
of display devices that have highly variable display
capabilities and to achieve formatting that is appropriate for
different devices.

As per claim 7 and 16, Mahanti et al teach the invention, further
comprising a document converter coupled to the object database
for extracting data segments of the selected data from the origin
server [page 3, paragraphs 0041-0043].

As per the limitation in claim 7, based on the output preference
data, wherein to the dynamic information composer composes the
user-specific information based on the data segments, see the
rejection on claim 1 above.

As per claim 8, Mahanti et al teach the invention, wherein the document converter converts an HTML file into an XML file and stores the XML file in the object database, and wherein the dynamic information composer composes the user-specific information based on an XML-based content tag in the XML file [Note XML tag is an inherent feature of XML, page 3, paragraphs 0041-0043].

As per claim 9, see the rejection on claim 7, above.

As per claim 10 and 17, Mahanti et al as modified teach the invention, wherein the document converter converts an HTML file into an XML file and stores the XML file in the object database, and wherein the dynamic information composer composes the user-specific information based on an XML-based content tag in the XML file [Note XML tag is an inherent feature of XML, page 3, paragraphs 0041-0043].

As per claim 15, the claim includes similar limitations as claims 6 and 14. See the rejection made on claim 6 and 14 above.

## Conclusion

7. **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 703-305-5971. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 703-305-9717. The fax phone numbers for the

organization where this application or proceeding is assigned are

703-872-9306 for regular communications and 703-746-7238 for

After Final communications.

Any inquiry of a general nature or relating to the status of

this application or proceeding should be directed to the

receptionist whose telephone number is 703-305-3900.


Yasin Barqadle

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